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 SHANGHAI GOURMET, INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

BAO YI FANG, WEI WANG, and
 LIANG XIAN FU,

Plaintiff,

vs.

SHANGHAI GOURMET, LLC,

Defendants.

Case No.: C07-04882 JL

**XU LIANG SHEN'S DECLARATION
 IN OPPOSITION TO MOTION
 TO AMEND COMPLAINT**

Date: 7/2/2008
 Time: 9:30 a.m.
 Dept: 16, Hon. James Larson


I, Xu Liang Shen, make the following declaration:

1. I am one of the members of Shanghai Gourmet, LLC (the "Company"), the Defendant herein, and am in charge of the operation of the company. If called, I could competently testify to the following of my own personal knowledge.'
2. The Company had two (2) restaurants from 2000 to 2007. Currently, we have only one restaurant located in Walnut Creek, California.
3. There were about thirty (30) employees who no longer work for the company. Currently, the Company has twelve (12) employees.

- 1 4. All employees, including the three Plaintiffs were paid at least the minimum wage and
2 also for their over time work. They also received housing, meals, and breaks between
3 lunch and dinner and transportation to and from work. Other than the three Plaintiffs, no
4 employee has ever complained of any wage and hour violations.
- 5 5. My wife and I are only a small business owners. The current lawsuit as it is amounts to a
6 frivolous action and has brought tremendous financial burden to us. Allowing Plaintiffs
7 to file an amended complaint to act on behalf of past employees and current employees
8 would impose even more unbearable financial burdens on us.

9

10 I declare under penalty of perjury under the laws of the United States, that the foregoing
11 is true and correct and is executed on July 8, 2008, in Oakland, California.

12 
13 Xu Liang Shen